

1 **HOFLAND & TOMSHECK**

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8 *Attorney for Defendant Phillip Allerson Vaughn*

9
10 **IN THE UNITED STATE DISTRICT COURT**
11 **FOR THE DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA

13 Case No.: 2:14-MJ-00748-VCF

14 Plaintiffs,

15 vs.

16 PHILLIP ALLERSON VAUGHN,
17 ERIC JAMAR GOODALL,

18 **STIPULATION TO CONTINUE**
19 **PRELIMINARY HEARING**

20 Defendants.

21 IT IS HEREBY STIPULATED AND AGREED by and between DANIEL COWHIG,
22 Assistant United States Attorney, and KATHRYN NEWMAN, Assistant United States Attorney;
23 JOSH TOMSHECK, ESQ., counsel for Defendant, PHILLIP VAUGHN; and TODD LEVENTHAL
24 counsel for Defendant ERIC JAMAR GOODALL; that the preliminary hearing currently scheduled
25 for February 17, 2015 at the hour of 4:00 p.m., be vacated for four weeks, or to a date and time to be
26 set by this Honorable Court.

27 This Stipulation is entered into for the following reasons:

- 28 1. The parties are attempting to resolve the case with a pre-indictment plea and
require additional time to negotiate and discuss the terms of the plea.
- 29 2. Denial of this request for continuance of the preliminary hearing would prejudice
and all defendants and the Government and unnecessarily consume this Court's valuable
resources, taking into account the exercise of due diligence.
- 30 3. Additionally, denial of this request for continuance could result in a miscarriage
of justice.
- 31 4. The additional time requested by this Stipulation is excludable in computing the

5. Defendants are all currently in custody and have no objections to continuance. time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code §§ 3161(b) and 3161(h)(8)(A), considering the factors under Title 18, United States Code § 3161(h)(8)(B)(I) and (iv).

This is the third request to continue the preliminary hearing date filed herein.

DATED this 12th day of February, 2015.

DANIEL G. BOGDEN

UNITED STATES ATTORNEY

/s/ Dan Cowhig
DAN COWHIG, ESQ.
Assistant United States Attorney

/s/ Kathryn Newman
KATHRYN NEWMAN, ESQ.
Assistant United States Attorney

/s/ *Todd Leventhal* _____
TODD LEVENTHAL, ESQ.
Nevada Bar No. 008543
Attorney for Defendant Eric Jamar Goodall

/s/ *Josh Tomsheck*
JOSH TOMSHECK, ESQ.
Nevada Bar 009210
Attorney for Defendant Phillip Allerson Vaughn

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10 **IN THE UNITED STATE DISTRICT COURT
11 FOR THE DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA

13 Case No.: 2:14-MJ-00748-VCF

14 Plaintiffs,

15 vs.

16 PHILLIP ALLERSON VAUGHN,
17 ERIC JAMAR GOODALL,

18 **ORDER CONTINUING
19 PRELIMINARY HEARING**

20 Defendants.

21 Based upon the pending Stipulation of counsel, and good cause appearing therefor, the
22 Court hereby finds that:

23 IT IS HEREBY ORDERED that the preliminary hearing in the above-captioned
24 matter currently scheduled for February 17, 2015 at 4:00 p.m., be vacated and continued to
25 March 19, 2015 at the hour of 4:00 p.m..

26 DATED AND DONE this 13th day of February, 2015.



27 _____
28 UNITED STATES MAGISTRATE JUDGE

29 Respectfully Submitted By:

30 /s/ Josh Tomsheck

31 Josh Tomsheck, Esq.

32 Nevada Bar No. 009210

33 Attorney for Defendant Phillip Allerson Vaughn